

REMARKS

Applicant's remarks below are preceded by quotations of relevant remarks from the office action in bold-face, small type.

3. Claim 133 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 128. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim 133 is cancelled.

4. Claim 48-51, 54, 58, 61-62, 75-79, 82-85, 88, 98-103, 105-107, 110-111, 113, 115-116, 127, 129-132, 134-135 are rejected under 35 U.S.C. 102(e) as being anticipated by Eckert, Jr. et al (4,442, 501).

As per Claim 48.

Eckert Jr. et al ('501) discloses:

units of a commodity that are used by respective users in different locations, see figure 1;

a user interface which is part of each of the units of the commodity and provides a medium for two-way local interaction between one of the users and the corresponding units of the commodity for generating information about use of the unit of the commodity by a user, see figure 2;

a communication element that is associated with each of the units of the commodity and carries results of the two-way local interaction from each of the units of the commodity to a central location, see figure 6 (106);

software that manages the interactions of the users in different locations and collection of the results of the interactions at the central location, see figure 6 (102, 103).

Claim 48 has been amended. The system of claim 48 includes units of a commodity that has a user interface. The user interface provides a medium for "two way local interaction between one of the users and the corresponding unit of the commodity in which the user provides information about his perception of the commodity."

Eckert discloses an electronic postage meter that dispenses postage and includes memory to track the value of the dispensed postage. The meter includes a user interface (FIG. 2). The user interface can be used to display, for example, "values as control or postage sum, piece count, batch value, and batch count" (column 5, lines 23-24) and "the unlock value, the low postage warning amount, the meter number, diagnostic status, and the maximum settable amount [sic]" (column 2, lines 56-58). The interface in Eckert accepts values and signals from the user for dispensing postage and displays values about the postage and operational state of the meter.

Eckert does not disclose nor suggest that the user interface provide a medium for two-way local interaction in which the user provides information about his perception of the commodity, in this case, the postage meter.

As per Claim 98.

Eckert Jr. et al ('501) discloses:

units of a commodity that are used by respective users in different locations, see figure 1; a user;

a user interface which is part of each of the units of the commodity and provides a medium for two-way local interaction between one of the users and the corresponding units of the commodity for generating information about use of the unit of the commodity by a user, see figure 2;

a communication element that is associated with each of the units of the commodity and carries results of the two-way local interaction from each of the units of the commodity to a central location, see figure 6 (106);

software that manages the interactions of the users in different locations and collection of the results of the interactions at the central location, see figure 6 (102, 103) and provides access to the collection of results of third parties, see column 11, lines 23-50.

Claim 98 has been amended to include the limitations of claim 108 or 109. Claims 108 and 109 have been deemed allowable if written in independent form including the limitations of the base claim.

As per Claim 110.

Eckert Jr. et al ('501) discloses:

figure 1; units of a commodity that are used by respective users in different locations, see

a user interface which is part of each of the units of the commodity and provides a medium for two-way local interaction between one of the users and the corresponding units of the commodity for communicating instructions about the use of the unit of the commodity by a user, see figure 2 and column 5, lines 59-68;

a communication element that is associated with each of the units of the commodity and carries results of the two-way local interactions from each of the units of the commodity to a central location, see figure 6 (106);

software that manages the interactions of the users in different locations and collection of the results of the interactions at the central location, see figure 6 (102, 103).

Claim 110 has been amended to include the limitations of claim 112. Claim 112 has been deemed allowable if written in independent form including the limitations of the base claim.

As per claim 127.

Eckert Jr. et al ('501) discloses:

figure 1; units of a commodity that are used by respective users in different locations, see

a user interface which is part of each of the units of the commodity and provides a medium for two-way local interaction between one of the users and the corresponding units of the commodity for generating information about use of the unit of the commodity by a user, see figure 2 and column 5, lines 13-68;

a communication element that is associated with each of the units of the commodity and carries results of the two-way local interactions from each of the units of the commodity to a central location, see figure 6 (106);

software that manages the interactions of the users in different locations and collection of the results of the interactions at the central location, see figure 6 (102, 103) and sends probes to each of the units of the commodity, see column 1, lines 52-61 and column 11, lines 5-24.

The system of claim 127 includes units of a commodity that "store probes that elicit information from the respective users" and software that "sends the probes to each of the units of the commodity." Eckert does not describe nor suggest a system that includes a commodity that stores probes for eliciting information from a user and software that sends probes to each of the units of commodities. The first cited passage is taken from column 1, line 52 to 61:

This resetting system involves a data center which may be equipped with a voice answer back unit. The data center processes telephone calls from the postage meter users, requiring the transmission by the user of information unique to the particular meter being reset. The information is used to verify the authenticity of the call and to update the record of the user stored at the data center.

The postage meter user informs the data center of the postage which is desired to be funded into the meter.

In this example, the data center receives "telephone calls from the ... users." The data center interacts with the user directly (see also, line 60, "user informs the data center"). Although the data center may elicit information from the user, there is no disclosure nor suggestion that the commodity, i.e., the postage meter, store a probe for eliciting information from the user. Moreover, there is no disclosure nor suggestion of software that sends the stored probes to each unit of the commodity.

The second cited passage, column 11, lines 5-24 is as follows:

During the Power-Up Routine, as seen in FIG. 4, there is an Oldest (next) Normal Data Field Subroutine for indicating whether the data in the next field in normal fields of data can be read verified. If not, the meter 10 is rendered non-operational.

Specifically, referring to FIG. 6, a block diagram illustrates communication between the postage meter 10, a data center 102 and a service center 104, e.g., via a communications line 106, such as a telephone or a direct data link. As discussed with reference to FIG. 5, if a modify reset flag signal 96 is stored in the service field 98 of the NVM 80, when the meter operator next telephones the data center 102 to obtain the proper reset combination for recharging the meter 10, the presence of the modify reset flag signal 96 is communicated to the data center 102 within the Access Code. The presence of the modify reset flag 96 within the Access Code alerts the data center 102 that the meter 10 has a weak NVM 80. The data center 102 then communicates with the service department 104 to advise it of this condition.

The above passage describes the communication of a flag signal stored in the postage meter to the data center, not the communication of a probe to each unit of the commodity.

Applicant : Daniel H. Abelow
Serial No. : 09/370,663
Filed : August 6, 1999
Page : 20

Attorney's Docket No.: 03058-004005

Similarly, the third citation (column 5, lines 13 to 68) by the Examiner does not suggest or disclose software that sends a probe to each unit of the commodity, much less a probe that elicits information from the user of the commodity.

As per claim 87.
Eckert Jr. et al. ('501) does not disclose:
the value information comprises information about user performance.

New independent claim 141 includes the limitations of claim 87 and the base claim.

Similarly new independent claim 140 includes the limitations of claim 86 and the base claim.

As per claim 89.
Eckert Jr. et al. ('501) does not disclose:
the value information comprises information marketing information or information about future product design.

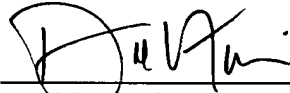
New independent claim 142 includes the limitations of claim 89 and the base claim.

Attached is a marked-up version of the changes being made by the current amendment.

Applicant asks that all claims be allowed. Enclosed is a \$545 check for excess claim fees. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 8/14/99



David L. Feigenbaum
Reg. No. 30,378

Fish & Richardson P.C.
225 Franklin Street
Boston, Massachusetts 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

Version with markings to show changes made

In the specification:

Paragraph beginning at page page number , line line number has been amended as follows:

Insert paragraph with brackets and underlining here

In the claims:

Claims 108, 109, 112, and 133 have been cancelled.

Claims 48, 49, 58, 62, 88, 89, 98, 110, and 120 have been amended as follows:

48. (amended) A system comprising
units of a commodity that are used by respective users in different locations,
a user interface which is part of each of the units of the commodity and provides a
medium for two-way local interaction between one of the users and the corresponding unit of the
commodity [for generating] **in which the user provides** information about **his perception of** the
commodity,

a communication element that is associated with each of the units of the commodity and
carries results of the two-way local interaction from each of the units of the commodity to a
central location, and

software that manages the interactions of the users in different locations and collection of
the results of the interactions at the central location.

49. (amended) The system of claim 48 in which the user interface is **[electronically]**
triggered based on user behaviors to generate two-way interactions with each of the users, each
of the interactions relating to a corresponding specific one of the behaviors.

50. (reiterated) The system of claim 48 in which the interactions are triggered to occur repetitively for each of the users based on repeated uses of a feature of a unit of the commodity by the user.

51. (reiterated) The system of claim 48 in which the user interface comprises part of a functional user interface of the unit of the commodity that is used to control features of the commodity.

53. (reiterated) The system of claim 48 in which the units of the commodity comprise telephone extension equipment and the central location comprises a private branch exchange or other central telephone network facility.

54. (reiterated) The system of claim 48 in which the results of the interactions are forwarded from the central location to a remote server for analysis.

55. (reiterated) The system of claim 48 in which the units of the commodity comprise facsimile equipment and the user interface triggers the two-way interaction to occur on-line between the unit of the facsimile equipment and a vendor of the facsimile equipment.

56. (reiterated) The system of claim 55 in which the on-line interaction occurs by voice spoken through the facsimile machine's handset, transmitted by telephone line to a computer of the vendor, and stored at the vendor's computer.

57. (reiterated) The system of claim 48 in which the units of the commodity comprise consumer television equipment.

58. (amended) The system of claim 48 in which the two-way interaction provides instructions on how to use the commodity.

59. (reiterated) The system of claim 57 in which the two-way interaction comprises posing questions to a user on a television screen concerning use of the commodity and receiving answers from the user expressed through a keypad or a held-held remote.

60. (reiterated) The system of claim 59 in which the answers are forwarded to a vendor of the commodity.

61. (reiterated) The system of claim 48 in which the two-way interaction is mediated by an publicly or privately accessible on-line computerized information service.

62. (twice amended) The system of claim 48 in which the user interface presents information in one or more of the following styles: text, lists, charts, views, arrangements, hierarchies, graphical maps, sample extracts, abstracts, summary descriptions, **[or] and** hypertext.

63. (reiterated) The system of claim 62 in which the user interface triggers two-way interactions that comprise training based on two-way interactions with all or some other users, the interactions being arranged to present actions that the user could take to increase performance or satisfaction to a level achieved by other users.

71. (reiterated) The system of claim 48 wherein the user interface includes a sound recorder.

72. (reiterated) The system of claim 48 wherein the units of commodity are configured to store voice or sound information.

73. (reiterated) The system of claim 48 wherein the units of commodity are configured to digitize voice or sound information.

74. (reiterated) The system of claim 48 wherein the two-way interaction comprises voice communication.

75. (reiterated) The system of claim 48 wherein the user interface includes a console displaying text or graphics.

76. (reiterated) The system of claim 48 wherein the console comprises a display of a computer, phone, or handheld device.

77. (reiterated) The system of claim 48 wherein the software is configured to provide access to the collection of results to vendors of the commodity.

78. (reiterated) The system of claim 48 wherein the software is configured to provide access to the collection of results to the users of the commodity.

79. (reiterated) The system of claim 48 wherein the software is configured to provide access to the collection of results to third parties.

80. (reiterated) The system of claim 59 in which the keypad or hand-held remote comprises numeric keys.

81. (reiterated) The system of claim 62 in which the style is hypertext.

82. (reiterated) The system of claim 48 in which the units of commodity store probes that elicit information from the respective users.

83. (reiterated) The system of claim 82 in which the software that manages the interactions of the users sends the probes to each of the units of the commodity.

84. (reiterated) The system of claim 48 in which the information about the commodity comprises value information.

85. (reiterated) The system of claim 84 in which the value information comprises usage logs.

86. (reiterated) The system of claim 84 in which the value information comprises information about user comprehension.

87. (reiterated) The system of claim 84 in which the value information comprises information about user performance.

88. (amended) The **[method] system** of claim 84 in which the value information guides a user's interaction with the commodity.

89. (amended) The **[method] system** of claim 84 in which the value information comprises marketing information or information about future product design.

90. (reiterated) A system comprising
units of a telephonic device that are used by respective users in different locations,
a user interface which is part of each of the units and provides a medium for two-way local interaction between one of the users and the corresponding unit for generating information about use of the unit by the user,
a communication element that is associated with each of the units and carries results of the two-way local interaction from each of the units to a central location, and
software that manages the interactions of the users in different locations and collection of the results of the interactions at the central location.

91. (reiterated) The system of claim 90 in which the units of the commodity comprise telephone extension equipment and the central location comprises a private branch exchange or other central telephone network facility.

92. (reiterated) The system of claim 90 the units of the commodity comprise facsimile equipment and the user interface triggers the two-way interaction to occur on-line between the unit of the facsimile equipment and a vendor of the facsimile equipment.

93. (reiterated) The system of claim 90 in which the user interface is electronically triggered based on user behaviors to generate two-way interactions with each of the users, each of the interactions relating to a corresponding specific one of the behaviors.

94. (reiterated) The system of claim 90 wherein the software is configured to provide access to the collection of results to the users of the commodity.

95. (reiterated) The system of claim 90 wherein the software is configured to provide access to the collection of results to vendors of the commodity

96. (reiterated) The system of claim 90 wherein the software is configured to provide access to the collection of results to third parties.

97. (reiterated) The system of claim 92 in which the on-line interaction occurs by voice spoken through the facsimile machine's handset, transmitted by telephone line to a computer of the vendor, and stored at the vendor's computer.

98. (amended) A system comprising
units of a commodity that are used by respective users in different locations,
a user interface which is part of each of the units of the commodity and provides a
medium for two-way local interaction between one of the users and the corresponding unit of the
commodity for generating information about use of the unit of the commodity by the user,
**wherein the interactions elicit information about (i) steps that a vendor of the commodity
could take to improve the user's satisfaction or (ii) training or support provided for users
of the commodity,**

a communication element that is associated with each of the units of the
commodity and carries results of the two-way local interaction from each of the units of the
commodity to a central location, and

software that manages the interactions of the users in different locations and
collection of the results of the interactions at the central location and provides access to the
collection of results to a third party.

99. (reiterated) The system of claim 98 in which the results of the interactions are
forwarded from the central location to the third party.

100. (reiterated) The system of claim 98 in which the results of the interactions are
forwarded from the central location to the remote server for analysis.

101. (reiterated) The system of claim 98 in which the third party is a vendor of the
commodity.

102. (reiterated) The system of claim 99 in which the third party is a vendor of the
commodity.

103. (reiterated) The system of claim 98 in which the third party is a designer of the
commodity.

104. (reiterated) The system of claim 98 wherein the user interface presents user information in a style that comprises hypertext.

105. (reiterated) The system of claim 98 in which the user interface is electronically triggered based on user behaviors to generate two-way interactions with each of the users, each of the interactions relating to a corresponding specific one of the behaviors.

106. (reiterated) The system of claim 98 in which the interactions are triggered based on repeated use of a feature of a unit of the commodity by the user.

107. (reiterated) The system of claim 98 in which the software is further configured to provide access to the collection of results to the users of the commodity.

108. (canceled)

109. (canceled)

110. (amended) A system comprising
units of a commodity that are used by respective users in different locations,
a user interface which is part of each of the units of the commodity and provides a medium for two-way local interaction between one of the users and the corresponding unit of the commodity for communicating instructional information about use of the unit of the commodity [by the user], **the interactions comprising training based on two-way interactions with all or some other users, the interactions being arranged to present actions that the user could take to increase performance or satisfaction to a level achieved by other users,**

a communication element that is associated with each of the units of the commodity and carries results of the two-way local interaction from each of the units of the commodity to a central location, and

software that manages the interactions of the users in different locations and collection of the results of the interactions at the central location.

111. (reiterated) The system of claim 110 in which the two-way interaction provides instructions on how to use the commodity.

112. (canceled)

113. (reiterated) The system of claim 112 in which the user interface is electronically triggered based on user behaviors to generate two-way interactions with each of the users, each of the interactions relating to a corresponding specific one of the behaviors.

114. (reiterated) The system of claim 113 in which the interface is triggered based on user comprehension.

115. (reiterated) The system of claim 113 in which the interface is triggered by an exception resulting from use of the commodity.

116. (reiterated) The system of claim 113 in which the interface is triggered by a user-initiated help request during use of a product, service, or software feature.

117. (reiterated) The system of claim 112 wherein the software is configured to provide access to the collection of results to the users of the commodity.

118. (reiterated) The system of claim 112 wherein the software is configured to provide access to the collection of results to a vendor of the commodity.

119. (reiterated) The system of claim 112 wherein the user interface presents user information in a style that comprises hypertext.

120. (amended) A system comprising
units of a commodity that are used by respective users in different locations,
a user interface which is part of each of the units of the commodity, provides a
medium for two-way local interaction between one of the users and the corresponding unit of the
commodity for generating information about use of the unit of the commodity by the user, and
presents [user] information in a style that comprises hypertext,
a communication element that is associated with each of the units of the
commodity and carries results of the two-way local interaction from each of the units of the
commodity to a central location, and
software that manages the interactions of the users in different locations and collection of
the results of the interactions at the central location.

121. (reiterated) The system of claim 120 in which the user interface is electronically
triggered based on user behaviors to generate two-way interactions with each of the users, each
of the interactions relating to a corresponding specific one of the behaviors.

122. (reiterated) The system of claim 120 in which the interactions are triggered based
on repeated use of a feature of a unit of the commodity by the user.

123. (reiterated) The system of claim 120 wherein the software is further configured to
provide access to the collection of results to the users of the commodity.

124. (reiterated) The system of claim 120 in which the two-way interaction provides
instructions on how to use the commodity.

125. (reiterated) The system of claim 120 in which the two-way interaction is
mediated by an publicly or privately accessible on-line computerized information service.

126. (reiterated) The system of claim 120 in which the user interface triggers two-way
interactions that comprise training based on two-way interactions with all or some other users,

the interactions being arranged to present actions that the user could take to increase performance or satisfaction to a level achieved by other users.

127. (reiterated) A system comprising
units of a commodity that are used by respective users in different locations and
store probes that elicit information from the respective users,
a user interface which is part of each of the units of the commodity and provides a
medium for two-way local interaction between one of the users and the corresponding unit of the
commodity for generating information about use of the unit of the commodity by the user,
a communication element that is associated with each of the units of the
commodity and carries results of the two-way local interaction from each of the units of the
commodity to a central location, and
software that manages the interactions of the users in different locations and
collection of the results of the interactions at the central location and sends the probes to each of
the units of the commodity.

128. (reiterated) The system of claim 127 wherein the user interface presents user
information in a style that comprises hypertext.

129. (reiterated) The system of claim 127 in which the user interface is electronically
triggered based on user behaviors to generate two-way interactions with each of the users, each
of the interactions relating to a corresponding specific one of the behaviors.

130. (reiterated) The system of claim 127 in which the interactions are triggered based
on repeated use of a feature of a unit of the commodity by the user.

131. (reiterated) The system of claim 127 wherein the software is further configured to
provide access to the collection of results to the users of the commodity.

132. (reiterated) The system of claim 127 wherein the software is further configured to provide access to the collection of results to vendors of the commodity.

133. (canceled)

134. (reiterated) The system of claim 127 in which the results of the interactions are forwarded from the central location to the remote server for analysis.

135. (reiterated) The system of claim 127 in which the two-way interaction provides instructions on how to use the commodity.

136. (reiterated) A system comprising
units of a commodity that comprises consumer television equipment, the units
being used by respective users in different locations,
a user interface which is part of each of the units of the commodity and provides a
medium for two-way local interaction between one of the users and the corresponding unit of the
commodity for generating information about use of the unit of the commodity by the user,
a communication element that is associated with each of the units of the
commodity and carries results of the two-way local interaction from each of the units of the
commodity to a central location, and
software that manages the interactions of the users in different locations and
collection of the results of the interactions at the central location.

137. (reiterated) The system of claim 136 in which the two-way interaction provides instructions on how to use the commodity.

138. (reiterated) The system of claim 136 in which the two-way interaction comprises posing questions to a user on a television screen concerning use of the commodity and receiving answers from the user expressed through a keypad or a held-held remote.

Applicant : Daniel H. Abelow
Serial No. : 09/370,663
Filed : August 6, 1999
Page : 33

Attorney's Docket No.: 03058-004005

139. (reiterated) The system of claim 138 in which the answers are forwarded to a vendor of the commodity.